

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

OTC

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED

UNITED STATES DISTRICT COURT

AUG 19 2022

TONY R. MOORE, CLERK
BY: MB
DEPUTYfor the
District of
Division

EVANGELINE A GREEN

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-
ANDREW HERBERT

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. 22-cv-3207

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name
Street Address
City and County
State and Zip Code
Telephone Number
E-mail AddressEVANGELINE A. GREEN
1212 MARTHA LANE
ALEXANDRIA
LOUISIANA 71303
318-664-0604

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

ANDREW HERBERT
PA ORTHOPEDIC DOCTOR
LAFAYETTE LA. BONE & JOINT
1103 KALISTE SALOON RD #100
LAFAYETTE LA. 70508
1-877-630-5468

Defendant No. 2

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Defendant No. 3

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Defendant No. 4

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

STATUTES: TIT. 14, § 107.2 HATE CRIME / RS 14:107.2
RACIAL DISCRIMINATION RITE / SIM CRIM
SYSTEM RACISM

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) EVANBERNE A. GREEN, is a citizen of the
State of (name) LOUISIANA.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) ANDREW HERBERT, is a citizen of
the State of (name) LOUISIANA. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

THE PA DOCTOR VIOLATED MY RIGHTS BY SABOTAGING MY MEDICAL RECORDS WITH HIM SIGNING MY MEDICAL SURGERY PAPERS, AFTER THAT EVERYTHING HE WROTE IN MY MEDICAL CHART OPEN CASE WORKERS COMP WAS INACCURATE FRAUDULENT.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages. 4.5 MILLION FOR EQUITY OF JUSTICE.

I WAS DECEIVED, WITH FRAUDULENT FRAUD, WHEN I EXPOSED HIM TO THE DOCTOR, MY DOCTOR DRAP ME FOR ALL REASON CARL + LIES TO MY ATTORNEY + HE DRAP ME TOO MY WHOLE LIFE CHANGE, I AM MENTALLY, EMOTIONAL, PHYSICALLY TRAUMATIZED.

This is a continue from page 4 of 5 the RELIEF: Andrew sabotage my medical information in my charts with inaccurate fraudulent fraud. The first thing Andrew did was unlawful to me was 'FORGERY' on my surgery papers on 03/08/2021 without my permission he did not ask me or anything he took the tablet from me after I wrote the first signature and he click on my name and move this signature to the other pages until he finish. My question how many others before me or after me? I did not give him verbal consent at all period. My signature was my consent. I WAS SUPPOSE TO READ OVER OR GLANCE OVER THESE PAPERS, to understand my potential risk and complications and knowledge of the involved of treatment. But he took that privilege from me by taking advantage of me been a Black African women, he never would have disrespected a white women like that period. Every time he wrote something it was not true and he was 'not' my doctor. This is an open workers compensation case and everything he writes goes to they office the defendants office. Andrew gave me two injections in my left knee after my surgery after the first shot my left knee locked up and the four of them including doctor Stubbs witness this, this was very important to my case because W/C. was saying nothing was wrong with my foot. Andrew never wrote nothing on this in my records I went home and email my attorney stating what happen, he stated I have not receive it. However the next time I went to receive the next injection I had my friend that drove me there in the exam room to get the injection she heard me ask Andrew will you please put in my chart how my left knee locked on my last injection? He stated yes sure no problem. Why this man went wrote. She stated: she had falls before her surgery and after her surgery and send this lie to workers comp. Why would I tell him this to write and I am on workers comp. Well he wanted to SABOTAGE MY CASE AND HE DID. After I 'EXPOSE him on a letter' to Dr. Stubbs about the forgery and everything else, Dr. Stubbs CALL my attorney with unorthodox propaganda MAD! call my attorney and lied and drop me as a patient for no legal medical reason; my attorney did not even talked to me first before he drop me as a client from Dr. Stubbs lie about what I wrote him. He did not know I made a copy of the letter before I mailed it to him. From that letter Andrew still has a job. I lost my attorney and my Doctor. I wrote HIPPH/DHHS. ALSO THE LOUISIANA MEDICAL BOARD, THE BARS ACC.TOO. With that been said over all this corruption I am a victim that has been victimized, with systemic racism of a hate crime. Jim Crow is still alive in this prejudice world with white power/white privilege. I am suffering from pain extreme emotional

distress, depression, emotional break downs, from the pattern of events that took place from these unlawful acts, I am trauma and depression with mental suffering; I HAVE ANXIETY FROM EMOTIONAL EXPERIENCES I have to close my workers comp case without an attorney because the case was over a year old and the doctor left me without me finishing my medical treatments therefore I had to "find other doctors" for my knees, foot, back everything! YES I AM TRAUMATIZED! BECAUSE THIS CASE WAS TWO YEARS OLD NOW THREE AND I AM JUST TRYING TO SETTLE WITHOUT AN ATTORNEY AND NEW DOCTORS. I AM ASKING FOR 4.5 MILLION FOR PUNITIVE DAMAGES AND COMPENSATORY DAMAGES. THIS TYPE OF VIOLATIONS IS UNLAWFUL BEHAVIOR AND MISCONDUCT UNDER THE "OATH THAT ALL THEM TOOK"

THANK YOU. SINCERELY

A handwritten signature in black ink, appearing to read "Evelyn J. Allen". The signature is fluid and cursive, with the first name "Evelyn" being more prominent and the last name "Allen" following in a similar style.

PS: ALSO THE LAFAYETTE DISTRICT ATTORNEY
IS INVESTIGATING THE "FORGERY" + FRAUD!

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____

8/19/2020

Signature of Plaintiff _____

Printed Name of Plaintiff _____

Caroline B. C. Seay
 EVANSBURG A. CROOK

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____